

AMENDED IN SENATE APRIL 17, 2006

**SENATE BILL**

**No. 1825**

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**Introduced by Senator Migden**

February 24, 2006

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An act to ~~relating to mental health~~ amend Section 11325.23 of the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 1825, as amended, Migden. ~~Mental health~~-CalWORKs.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program for the allocation of federal funds received through the TANF program, under which each county provides cash assistance and other benefits to qualified low-income families.

Existing law requires, with certain exceptions, that an individual participate in work activities, as defined, in order to remain eligible for CalWORKs benefits. For purposes of this requirement, work activity includes enrollment in an undergraduate degree or certificate program that meets prescribed requirements.

This bill would define "enrolled" for this purpose to include a person who has submitted a timely application to a qualifying program and is awaiting, but has yet to receive, an acceptance or rejection.

~~Existing law authorizes the Judicial Council to establish a tax-exempt public benefit nonprofit corporation or other tax-exempt entity, for the purposes of undertaking or funding any survey, study,~~

~~publication, proceeding, or other activity authorized by law to be undertaken by the Judicial Council.~~

~~This bill would require, on or before January 1, 2008, the Judicial Council to conduct and present to the Legislature a study of state statutes and regulations that relate to an adult with a mental illness or psychiatric condition in order to accomplish specified objectives.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 11325.23 of the Welfare and Institutions  
2     Code is amended to read:

3     11325.23. (a) (1) Except as provided in paragraph (2), any  
4     student who, at the time he or she is required to participate under  
5     this article pursuant to Section 11320.3, is enrolled in any  
6     undergraduate degree or certificate program that leads to  
7     employment may continue in that program if he or she is making  
8     satisfactory progress in that program, the county determines that  
9     continuing in the program is likely to lead to self-supporting  
10    employment for that recipient, and the welfare-to-work plan  
11    reflects that determination. *For the purposes of this section*  
12    *“enrolled” includes a person who has submitted a timely*  
13    *application to a qualifying program and is awaiting, but has yet*  
14    *to receive, an acceptance or rejection.*

15    (2) Any individual who possesses a baccalaureate degree shall  
16    not be eligible to participate under this section unless the  
17    individual is pursuing a California regular classroom teaching  
18    credential in a college or university with an approved teacher  
19    credential preparation program.

20    (3) (A) Subject to the limitation provided in subdivision (f), a  
21    program shall be determined to lead to employment if it is on a  
22    list of programs that the county welfare department and local  
23    education agencies or providers agree lead to employment. The  
24    list shall be agreed to annually, with the first list completed no  
25    later than January 31, 1998. By January 1, 2000, all educational  
26    providers shall report data regarding programs on the list for the  
27    purposes of the report card established under Section 15037.1 of  
28    the Unemployment Insurance Code for the programs to remain  
29    on the list.

1 (B) For students not in a program on the list prepared under  
2 subparagraph (A), the county shall determine if the program  
3 leads to employment. The recipient shall be allowed to continue  
4 in the program if the recipient demonstrates to the county that the  
5 program will lead to self-supporting employment for that  
6 recipient and the documentation is included in the  
7 welfare-to-work plan.

8 (C) If participation in educational or vocational training, as  
9 determined by the number of hours required for classroom,  
10 laboratory, or internship activities, is not at least 32 hours, the  
11 county shall require concurrent participation in work activities  
12 pursuant to subdivisions (a) to (j), inclusive, of Section 11322.6  
13 and Section 11325.22.

14 (b) Participation in the self-initiated education or vocational  
15 training program shall be reflected in the welfare-to-work plan  
16 required by Section 11325.21. The welfare-to-work plan shall  
17 provide that whenever an individual ceases to participate in,  
18 refuses to attend regularly, or does not maintain satisfactory  
19 progress in the self-initiated program, the individual shall  
20 participate under this article in accordance with Section  
21 11325.22.

22 (c) Any person whose previously approved self-initiated  
23 education or training program is interrupted for reasons that meet  
24 the good cause criteria specified in subdivision (f) of Section  
25 11320.3 may resume participation in the same program if the  
26 participant maintained good standing in the program while  
27 participating and the self-initiated program continues to meet the  
28 approval criteria.

29 (d) Supportive services reimbursement shall be provided for  
30 any participant in a self-initiated training or education program  
31 approved under this subdivision. This reimbursement shall be  
32 provided if no other source of funding for those costs is  
33 available. Any offset to supportive services payments shall be  
34 made in accordance with subdivision (e) of Section 11323.4.

35 (e) Any student who, at the time he or she is required to  
36 participate under this article pursuant to Section 11320.3, has  
37 been enrolled and is making satisfactory progress in a degree or  
38 certificate program, but does not meet the criteria set forth in  
39 subdivision (a), shall have until the beginning of the next  
40 educational semester or quarter break to continue his or her

1 educational program if he or she continues to make satisfactory  
2 progress. At the time the educational break occurs, the individual  
3 is required to participate pursuant to Section 11320.1. A recipient  
4 not expected to complete the program by the next break may  
5 continue his or her education, provided he or she transfers at the  
6 end of the current quarter or semester to a program that qualifies  
7 under that subdivision, the county determines that participation is  
8 likely to lead to self-supporting employment of the recipient, and  
9 the welfare-to-work plan reflects that determination.

10 (f) Any degree, certificate, or vocational program offered by a  
11 private postsecondary training provider shall not be approved  
12 under this section unless the program is either approved or  
13 exempted by the appropriate state regulatory agency and the  
14 program is in compliance with all other provisions of law.

15 ~~SECTION 1. On or before January 1, 2008, the Judicial~~  
16 ~~Council shall conduct and present to the Legislature a study of~~  
17 ~~state statutes and regulations that relate to an adult with a mental~~  
18 ~~illness or psychiatric condition in order to do all of the following:~~

19 ~~(a) Identify statutes and regulations that provide guidance for~~  
20 ~~state law enforcement and court personnel on how to assist an~~  
21 ~~adult with a mental illness or psychiatric condition, as well as his~~  
22 ~~or her parent or conservator, within the law enforcement system~~  
23 ~~and courts.~~

24 ~~(b) Identify statutes and regulations that provide the parent or~~  
25 ~~conservator of an adult with a mental illness or psychiatric~~  
26 ~~condition with a right or duty regarding the support of the adult.~~

27 ~~(c) Identify state personnel and legal resources available to~~  
28 ~~assist an adult with a mental illness or psychiatric condition.~~

29 ~~(d) Identify areas of law where the rights and duties of a parent~~  
30 ~~or conservator of an adult with a mental illness or psychiatric~~  
31 ~~condition with respect to the support of that adult are unclear.~~